



STATE OF MICHIGAN
NATURAL RESOURCES COMMISSION
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

January 12, 2004
RESUBMITTED: February 9, 2004

Memorandum to the Natural Resources Commission:

SUBJECT: Elk Drawing Selection Procedures

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Elk hunting regulations are proposed to maintain the herd within the objective of 800-900 animals during the winter. Recreational hunting is the primary means utilized in managing the size of Michigan's elk herd. Elk hunting has considerable interest in Michigan. Approximately 40,000 individuals apply annually. Fewer than 500 licenses are available annually. The allocation of these limited licenses has been by a random lottery by region. A preference point system was initiated in 2000 for allocation of bear licenses. This generated interest in changing the allocation of the elk licenses to a similar system. In July 2003, the Natural Resources Commission (NRC) established a weighted lottery for elk license allocation.

A weighted lottery combines the random lottery and the preference point system. A weighted lottery provides some advantage to those individuals that are persistent in applying while still providing an opportunity to all applicants. After discussion with the NRC on the cost and time needed to implement a weighted drawing, the NRC concurred with the Department to bring back an order for information on delaying the implementation of a weighted drawing until the Department can secure funding. Until a weighted drawing is funded and implemented, a random lottery will be conducted to select successful applicants.

Regulations through January 31, 2004, established an ineligibility period for applicants that purchased an elk license. This ineligibility period prohibited an individual from applying for, obtaining, or purchasing an elk license for one year if issued an antlerless elk license and ten years if issued an any-elk (bull) license. In July 2003, effective February 1, 2004, the NRC changed the ineligibility requirements to ten years for an antlerless elk license and lifetime for an any-elk license. The wording of the order pertains to all elk license buyers. The intent of the NRC was to leave the ineligibility period for previous elk license buyers unchanged.

This order establishes the Director shall develop a weighted random drawing for elk license allocation when the Department secures funding for this program, and clarifies the different ineligibility periods for elk license buyers based upon the license year of purchase.

Keith J. Charters-Chair ? Mary Brown ? Bob Garner ? Gerald Hall ? John Madigan ? William Parfet ? Frank Wheatlake

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Recommendation:

This order was submitted for information only at the February 2004 meeting of the Natural Resources Commission. This item appeared in the February 23, 2004, Calendar and is eligible for approval on March 5, 2004. We are now recommending that it be acted upon at this meeting.

Rebecca A. Humphries, Chief
Wildlife Division

Alan Marble, Acting Chief
Law Enforcement Division

George E. Burgoyne, Jr.
Resource Management Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

K. L. Cool
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 2 of 2004

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective March 8, 2004, the following section of the Wildlife Conservation Order shall read as follows:

3.4 Elk hunt, application and selection procedures; requirements; unlawful acts; ineligible persons.

Sec. 3.4. (1) Only Michigan residents, who will be at least 14 years of age before or during the hunt period for which they are applying, may apply for the current year's elk hunt. A person shall be ineligible to receive a license for more than 1 hunt period.

(2) A person issued an antlerless-only elk license valid for taking an antlerless elk in the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for the 2004 license year. A person issued an elk license valid for taking a bull elk for the 1994 license year through the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk hunting license for 10 license years subsequent to receiving the license. A person issued an antlerless-only elk license valid for taking an antlerless elk subsequent to the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for 10 license years subsequent to receiving the license. A person issued an elk license valid for taking a bull elk on or after February 1, 2004, shall subsequently be ineligible to apply for, obtain, or purchase an elk hunting license.

(3) Eligible residents wishing to participate in the hunting of elk must apply for a license through the retail sales system in accordance with instructions provided by the department. If more applications are received than the number of licenses to be issued, a random drawing will be held to determine the successful applicants until such time the department secures funding to establish and implement a random weighted lottery for the selection of successful applicants. The director shall establish provisions for the transfer of application success to a youth applicant or an applicant with an advanced illness. Notwithstanding the successful applicant selection provisions of this subsection, licensees shall be drawn by region of residence in the same proportion as applications were received.

(4) Applications must be submitted in accordance with instructions no later than July 15 of the current year.

(5) Applicants shall indicate when making application whether they are willing to harvest only a bull elk or whether they are willing to harvest any elk. The drawing will first select the applicants who will be licensed to take a bull elk. Then the antlerless-only elk licenses will be drawn; any applicant drawn who has specified "bull only" on their application will be rejected, and another applicant will be drawn.

(6) All successful applicants must participate in a half-day training session the day before the hunt at a location to be determined in the vicinity of the hunt units. Upon completion of this training, each successful applicant will be issued their elk license along with other pertinent information and materials.

(7) The department, upon determining that a person is no longer a resident of Michigan, shall refund the elk hunting license fee to the person and select another applicant to receive the elk hunting license. A person who is not a resident of Michigan shall not hunt elk in Michigan.

Issued this 5th day of March, 2004.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

K. L. Cool
Director